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11 Attorneys for Defendant RAMESH BALWANI

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IN THE UNITED STATES DISTRICT COURT
THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 ELIZABETH A. HOLMES and RAMESH
15 "SUNNY" BALWANI,

16 Defendants.

Case No. CR-18-00258-EJD

**WAIVER OF PERSONAL APPEARANCE
AT ARRAIGNMENT AND ENTRY OF
"NOT GUILTY" PLEA**

COURT'S ACCEPTANCE OF WAIVER

[RULE 10(b), Fed. R. Crim. P.]

Assigned to Hon. Edward J. Davila

DAVIS WRIGHT TREMAINE LLP

Pursuant to Rule 10(b) of the Federal Rules of Criminal Procedure, I, Ramesh "Sunny" Balwani, acknowledge and agree to the following in the above case:

1. I have received a copy of the Superseding Indictment [Doc. 39] in this case. My attorney has discussed the charges with me and after being so advised, I understand the nature and substance of those charges, the maximum penalties, and my Constitutional rights. I waive a formal reading of the Superseding Indictment in open court.

2. I understand I have a right to personally appear with my attorney in open court before a judicial officer for arraignment on the Superseding Indictment. By signing this Waiver, I give up my right to personally appear in open court for an arraignment. I further understand that absence the present Waiver, I must appear before this Court as directed.

3. I am entering a "Not Guilty" plea with the filing of this Waiver. I understand that entry by the Court of my not guilty plea will conclude the arraignment in this case for all purposes.

4. I have been informed of my rights under Title 18 U.S.C. § 3161-3174 (Speedy Trial Act), and authorize my undersigned attorney to set times and delays under the Act without my being present.

DATED: September 27, 2018



Ramesh "Sunny" Balwani
Defendant

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1 I am attorney of record for the above-named Defendant. I have reviewed the charges
2 against my client and agree and consent to the Waiver of Personal Appearance at Arraignment
3 and Entry of Not Guilty Plea.
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5 DATED: September 27, 2018

DAVIS WRIGHT TREMAINE LLP

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7 By: /s/ Jeffrey B. Coopersmith
Jeffrey B. Coopersmith

8 Attorneys for Defendant
9 RAMESH BALWANI
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12 The Court accepts the Waiver of Defendant's Appearance at Arraignment and enters a
13 plea of "Not Guilty" for the Defendant Ramesh "Sunny" Balwani.
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16 DATED: October 9, 2018

17 Virginia K. DeMarchi
Magistrate Judge ~~Susan van Keulen~~
18 Virginia K. DeMarchi
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